IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

WP(C).No. 17089 of 2003(H)

PETITIONER:

SHAHEERA BENZIR, AGED 38 YEARS,
W/O.BENZIR, THADATHIL HOUSE,
ELAMAKKARA P.O., KOCHI - 26.

BY ADV. SRI.C.S.MANU

RESPONDENTS:

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1. REGISTERING AUTHORITY,
(REGIONAL TRANSPORT OFFICER),
ERNAKULAM.

2. DEPUTY TAHSILDAR (RR), KANAYANNUR
TALUK, ERNAKULAM, KOCHI - 682 011.

3. DISTRICT COLLECTOR, ERNAKULAM.

4. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY, DEPARTMENT OF REVENUE,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY ADV. SMT.SMITHA SUKUMAR, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 17089/2003

ORDER ON I.A.NO. 2289/2003 IN WP(C) No. 17089/2003 &

ORDER ON I.A.NO.4230/2004 IN I.A.NO. 2289/2003 IN WP(C) No. 17089/2003

DISMISSED.

28/11/2007 SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE APPLICATION DATED 19/06/2000 ISSUED TO THE PETITIONER FROM THE OFFICE OF THE 1ST RESPONDENT.

P2 : COPY OF THE ACKNOWLEDGEMENT DATED 19/06/2000 ISSUED TO THE PETITIONER FROM THE OFFICE OF THE 1ST RESPONDENT.

P3 : COPY OF THE DEMAND NOTICE DATED 19/04/2003 TO THE PETITIONER.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 17089 of 2003

Dated, this the 28th day of November, 2007

J U D G M E N T

Petitioner applied for a fancy number KL-7 AA 6060. However, the Regional Transport Officer instead of allotting the number applied for by the petitioner allotted him KL-7 AA 6262. Learned counsel for petitioner submits that petitioner is not interested in the number allotted to him. Learned Government Pleader pointed out that as against for allotment of fancy number Rs.5,000/- is required and petitioner has remitted only Rs.1,000/-. If the application is not maintainable petitioner should have been told about it, so that he would have paid the balance amount. In any case, since number applied for by the petitioner is not available, the respondents have to refund the amount deposited by the petitioner instead of demanding differential amount from him. This writ petition is, accordingly, disposed of quashing Ext.P3 proceedings with a direction to the 1st respondent to refund the amount deposited by the petitioner, i.e. Rs.1,000/-, within a period of one month from the date of production of a copy of this judgment.

2. However, if the facts stated above are not correct and

petitioner was offered the above number applied for by the petitioner on payment of differential amount then, writ petition will stand dismissed leaving freedom to the respondents to recover the amount, after allotting the number to the petitioner.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg